

ORDINANCE NO. 2005 - 051

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** (TO DESIGNATE SEVERAL SEGMENTS OF **ATLANTIC AVENUE** BETWEEN JOG ROAD AND STATE ROAD 7 AS CONSTRAINED ROADWAY AT LOWER LEVEL OF SERVICE (CRALLS) FACILITIES); THE **MAP SERIES** (TO MODIFY MAP TE 15.1, TRAFFIC CONCURRENCY EXCEPTION AREAS (TCEAS) AND CRALLS, TO IDENTIFY SEVERAL SEGMENTS OF **ATLANTIC AVENUE** BETWEEN JOG ROAD AND STATE ROAD 7 AS CONSTRAINED ROADWAY AT LOWER LEVEL OF SERVICE (CRALLS) FACILITIES); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 10 & 24 and July 8, 2005 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 20, 2005 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on October 5, 2005 the Department of Community Affairs "Objections, Recommendations, and

1 Comments Report," dated September 30, 2005 which was the Department's
2 written review of the proposed Comprehensive Plan amendments; and

3 **WHEREAS**, on November 28, 2005 the Palm Beach County Board of
4 County Commissioners held a public hearing to review the written
5 comments submitted by the Department of Community Affairs and to
6 consider adoption of the amendments; and

7 **WHEREAS**, the Palm Beach County Board of County Commissioners has
8 determined that the amendments as modified satisfy the concerns
9 addressed in the Department of Community Affairs' "Objections,
10 Recommendations and Comments Report" and comply with all requirements
11 of the Local Government Comprehensive Planning and Land Development
12 Regulations Act.

13 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
14 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

15 **Part I. Amendments to the 1989 Comprehensive Plan**

16 Amendments to the text of the following Elements of the 1989
17 Comprehensive Plan are hereby adopted and attached to this Ordinance
18 in Exhibit 1:

19 **A. Transportation Element**, to designate several segments of
20 Atlantic Avenue between Jog Road and State Road 7 as
21 Constrained Roadway at Lower Level of Service (CRALLS)
22 facilities;

23 **B. Map Series**, to modify map TE 15.1, Traffic Concurrency
24 Exception Areas (TCEAs) and CRALLS, to identify several
25 segments of Atlantic Avenue between Jog Road and State Road
26 7 as Constrained Roadway at Lower Level of Service (CRALLS)
27 facilities; and

28 **C. Amending all elements as necessary for internal**
29 **consistency.**

30 **Part II. Repeal of Laws in Conflict**

31 All local laws and ordinances applying to the unincorporated area
32 of Palm Beach County in conflict with any provision of this ordinance
33 are hereby repealed to the extent of such conflict.

1 Part III. Severability

2 If any section, paragraph, sentence, clause, phrase, or word of
3 this Ordinance is for any reason held by the Court to be
4 unconstitutional, inoperative or void, such holding shall not affect
5 the remainder of this Ordinance.
6

7 Part IV. Inclusion in the 1989 Comprehensive Plan

8 The provision of this Ordinance shall become and be made a part
9 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
10 Ordinance may be renumbered or relettered to accomplish such, and the
11 word "ordinance" may be changed to "section," "article," or any other
12 appropriate word.

13 Part V. Effective Date

14 The effective date of this plan amendment shall be the date a
15 final order is issued by the Department of Community Affairs or
16 Administration Commission finding the amendment in compliance in
17 accordance with Section 163.3184(1)(b), Florida Statutes, whichever is
18 applicable. No development orders, development permits, or land uses
19 dependent on this amendment may be issued or commence before it has
20 become effective. If a final order of noncompliance is issued by the
21 Administration Commission, this amendment may nevertheless be made
22 effective by adoption of a resolution affirming its effective status,
23 a copy of which resolution shall be sent to the Florida Department of
24 Community Affairs, Division of Community Planning, Plan Processing
25 Team. An adopted amendment whose effective date is delayed by law
26 shall be considered part of the adopted plan until determined to be
27 not in compliance by final order of the Administration Commission.
28 Then, it shall no longer be part of the adopted plan unless the local

1 government adopts a resolution affirming its effectiveness in the
2 manner provided by law.

3 APPROVED AND ADOPTED by the Board of County Commissioners of Palm
4 Beach County, on the 28 day of November, 2005.

5
6 ATTEST:
7 SHARON R. BOCK, CLERK &
8 COMPTROLLER

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

9
10 By: [Signature]
11 Deputy Clerk

By: [Signature: Tony Masilotti]
Tony Masilotti, Chairman

12
13 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

14
15 [Signature]
16 COUNTY ATTORNEY

17
18 Filed with the Department of State on the 6th day of
19
20 December, 2005.

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22 T:\Planning\AMEND\05-2\admin\bccadopt\Ordinances\Atlantic Ave CRALLS.doc

EXHIBIT 1

A. Transportation Element, Atlantic Avenue CRALLS

REVISIONS: To add language in Policy 1.2 No. 32 designating the above segments of West Atlantic Avenue as CRALLS facilities. The added text is shown underlined.

Objective 1.1	Level of Service Standards
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REVISED Policy 1.2-f: The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 1.1-b general level of service standards. *(Unchanged text omitted for brevity)*

32) The following segments of Atlantic Avenue are hereby designated temporarily as Constrained Roadways at a Lower Level of Service (CRALLS) facilities:

<u>Atlantic Avenue from SR 7 to Lyons Road</u>	
2-Way Peak Hour Level of Service standard	2100

<u>Atlantic Avenue from Lyons Road to Starkey Road</u>	
2-Way Peak Hour Level of Service standard	3200

<u>Atlantic Avenue from Florida's Turnpike to Hagen Ranch Road</u>	
2-Way Peak Hour Level of Service standard	4700

<u>Atlantic Avenue from Hagen Ranch Road to Jog Road</u>	
2-Way Peak Hour Level of Service standard	4700

One of the projects utilizing this CRALLS is Kenco Communities development on Brookside Nursery property, and adjacent properties that are part of the same development order, as part of the land swap with Palm Beach County for the Delray Holdings 282 property on SR 7. As a mitigating factor for this CRALLS, this developer shall participate in the land swap for the purpose of reducing vehicle-miles traveled on SR7 and Lyons Road. In case the land swap does not materialize, as a mitigation for this CRALLS, the project must enter into a funding agreement to the satisfaction of County Engineer, to pay for the construction of the 6-laning of West Atlantic Avenue from Florida's Turnpike to Jog Road and the 4-laning of West Atlantic Avenue from Lyons Road to Starkey Road.

The temporary CRALLS is also available for the benefit of developments already approved on the Appolonia, Dubois, Montage, Terra Nova PUD, Terra Nova MUPD, Tivoli Isles, Atlantic Commons, Delray TMD, and Mizner Country Club properties as well as for the Hyder PUD development which has already been approved for concurrency but has not yet received a development order. As a mitigation for this CRALLS, any of the above-referenced developments utilizing this CRALLS, must enter into a funding agreement to the satisfaction of County Engineer, to pay for the construction of the 6-laning of West Atlantic Avenue from Florida's Turnpike to Jog Road and the 4-laning of West Atlantic Avenue from Lyons Road to Starkey Road.




The temporary CRALLS shall expire on December 31, 2012.

B. Map Series, Atlantic Avenue CRALLS

REVISIONS: To modify map TE 15.1, Traffic Concurrency Exception Areas (TCEAs) and CRALLS, to identify several segments of Atlantic Avenue between Jog Road and State Road 7 as Constrained Roadway at Lower Level of Service (CRALLS) facilities. The revised map is shown below.

MAP TE 15.1
TRAFFIC CONCURRENCE
EXCEPTION AREAS (TCEA)
& CRALLS





Adopted Features

-  Traffic Concurrence Exception Areas (TCEA)
-  Constrained Roadways At Lower Level of Service (CRALLS) *
-  CRALLS Intersections

Reference Features

-  Municipalities

Other Roadways

-  Interstate 9*
-  Florida's T
-  Major Road
-  Minor Road

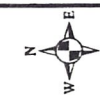
* Certain CRALLS Contain Provisions That May Be Modified At Some Pre-Defined Event In The Future. If They Will Cease To Remain In Effect, Details, Please Refer To The Transportation Element Of The Comprehensive Plan.

SOURCES: PBC Planning Department

Last Amended In Round 05

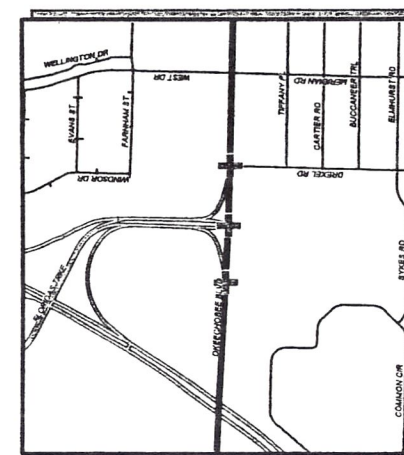
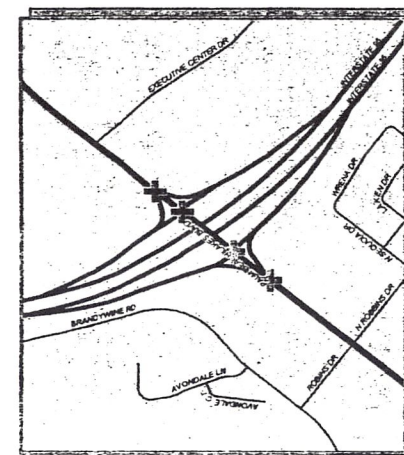
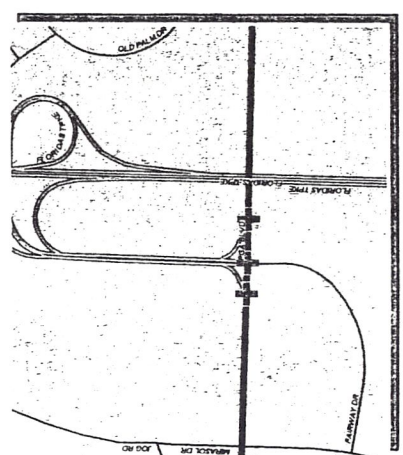
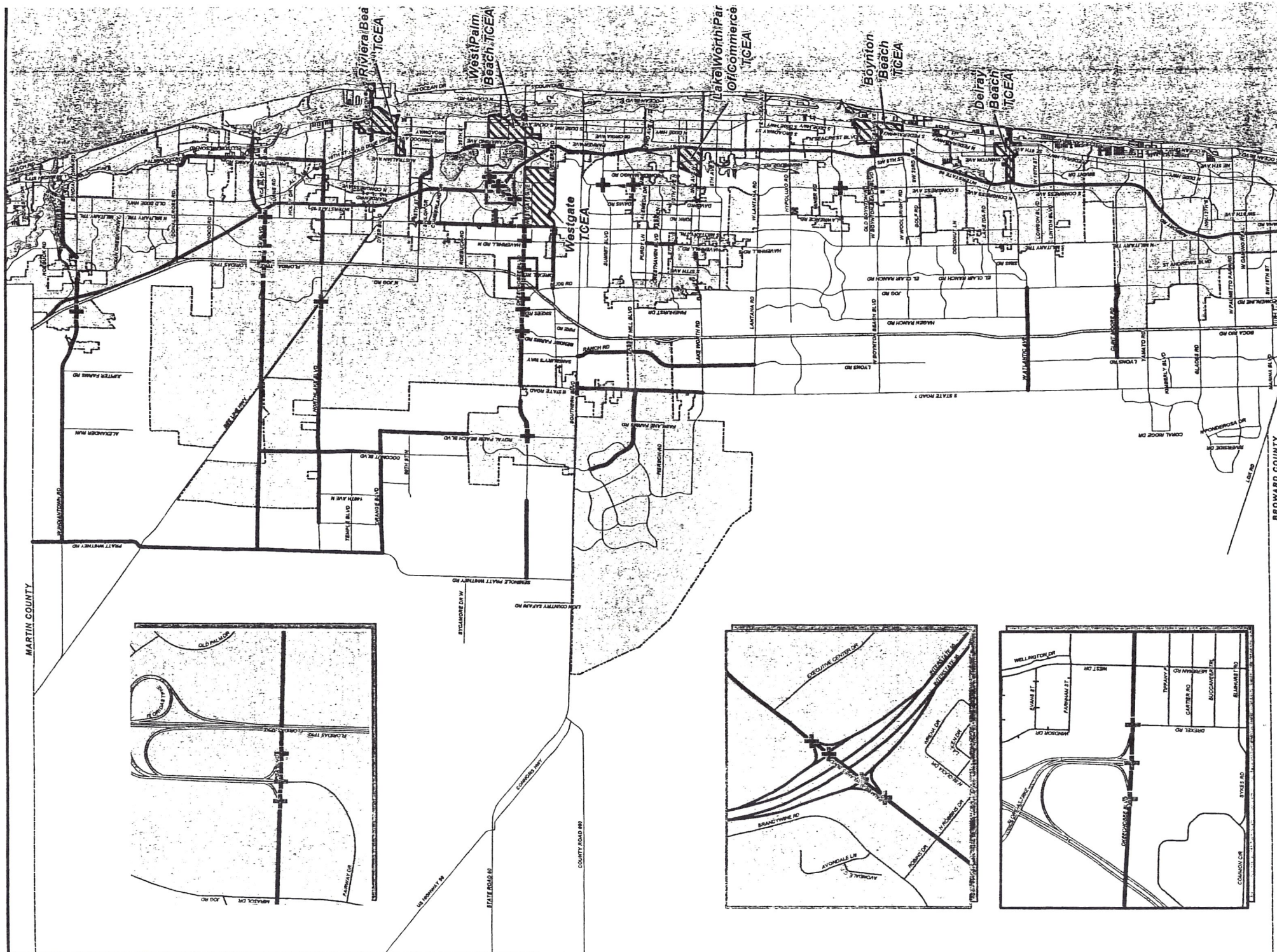


PALM BEACH COUNTY
COMPREHENSIVE PLAN
MAP SERIES



1 0 1 2 3

Effective Date TBD
Filename: N:\Map Series\Map Series\Map Series.dwg
Contact: PBC Planning Department



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